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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/002,508   | 11/02/2001  | Ralph H. Reese       | 33267.00005.CON     | 6178             |
| 36183  | 7590        | 04/20/2007           | EXAMINER            |                  |
| PAUL, HASTINGS, JANOFSKY & WALKER LLP<br>P.O. BOX 919092<br>SAN DIEGO, CA 92191-9092 |             |                      | PHAN, JOSEPH T      |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2614                |                  |
| SHORTENED STATUTORY PERIOD OF RESPONSE   | MAIL DATE   | DELIVERY MODE        |                     |                  |
| 3 MONTHS   | 04/20/2007  | PAPER                |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

|                              |                        |                     |
|------------------------------|------------------------|---------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |
|                              | 10/002,508             | REESE ET AL.        |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |
|                              | Joseph T. Phan         | 2614                |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 February 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) See Continuation Sheet is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,6-8,10,12,13,15-21,23-25,28-30,34,37,39-43,45,46,49-58 and 60-65 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Disposition of Claims: Claims pending in the application are 1,6-8,10,12,13,15-21,23-25,28-30,34,37,39-43,45,46,49-58 and 60-65.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 6-8, 10, 12-13, 15-21, 23-25, 28-30, 34, 37, 39-43, 45-46, 49-58, 60-65 rejected under 35 U.S.C. 102(b) as being anticipated by Friedes, Patent #5,444,774.**

**Regarding claim 1, Friedes teaches a system for responding to requests, said system comprising:**

an IVR for identifying a requestor and for querying said requestor for relevant information(*109/111 Fig. 1 and col.2 line 57-col.3 line 19*);

a routing switch in communication with said IVR(105 or 109 Fig.1);

a database in communication with said routing switch adapted to store and forward a unit of work record, said unit of work record comprising all of said information received by said IVR and all other information residing in said database pertaining to said requestor and said requests(*118 Fig.1 and col.2 line 65-col.3 line 19*);

a device in communication with said routing switch, for distributing said unit of work record(*118 Fig.1 and col.3 lines 3-19*); and

a receiver adapted to receive said unit of work record from said device during

contact with said requestor to facilitate a response to said requestor(118 Fig.1 and col.3 lines 3-22).

Regarding claim 6, Friedes system of claim 1 wherein said system is adapted to receive requests via a mode of communication selected from the group consisting of telephones, faxes, and the internet(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 7, Friedes system of claim 1 wherein said system is adapted to receive automated requests from machines(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 8, Friedes system of claim 1 wherein said IVR is adapted to receive responses from said requestor in the form of communication selected from the group consisting of sound, touch tones, speech, electronic data, e-mail, faxes, and internet messages(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 10, Friedes system of claim 1 wherein said database is adapted to be updated with said relevant information each time said requestor uses said system(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 12, Friedes system of claim 1 wherein said device for distributing said unit of work record is a hub(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 13, Friedes system of claim 1 wherein said receiver is adapted to generate an automated response using said unit of work record(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 15, Friedes system of claim 1 further comprising a computer telephony integration server in communication with said routing switch, said computer

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telephony integration server adapted to synchronize said unit of work record with said receiver(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 16, Friedes system of claim 1 further comprising at least one additional receiver in communication with said receiver such that said receiver is adapted to transfer said unit of work record to said at least one additional receiver (118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 17, Friedes system of claim 1 further comprising a second database in communication with said routing switch such that said receiver is adapted to receive information from said second database(118 Fig.1 and col.2 line 57-col.3 line 19; *first and second database is the same main database*).

Regarding claim 18, Friedes system of claim 17 wherein said second database contains credit information(118 Fig.1, col.2 lines 28-32, and col.9 lines 36-40).

Regarding claim 19, Friedes system of claim 18 wherein said credit information is selected from the group consisting of credit history and credit scoring(118 Fig.1, col.2 lines 28-32, and col.9 lines 36-40).

Regarding claim 20, Friedes the system of claim 17 wherein said second database is remotely located from said routing switch(113 Fig.1).

Regarding claim 21, Friedes the system of claim 20 wherein said second database is in communication with said routing switch via a data service unit/channel service unit (DSU/CSU) (112 or 108 fig.1).

Regarding claim 23, Friedes the system of claim 20 further comprising a firewall interposed between said second database and said routing switch(112 or 108 fig.1).

Regarding claim 24, Friedes the system of claim 17 wherein said information from said second database is included in said unit of work record(118 Fig.1 and col.2 *line 57-col.3 line 19*).

**Regarding claim 25, Friedes** teaches a system for responding to requests, said system comprising:

a device adapted to identify a requestor and query said requestor for information and receive from said requestor said information((118 Fig.1 and col.2 *line 57-col.3 line 19*);

a database in communication with said device adapted to store and forward a unit of work record, said unit of work record comprising all of said information received by said device and all other information residing in said database pertaining to said requestor and said requests(118 Fig.1 and col.2 *line 57-col.3 line 19*).;

a receiver adapted to receive a unit of work record from said database during contact with said requestor to facilitate a response to said requestor based on the contents of said unit of work record(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 28, Friedes the system of claim 25 wherein said system is adapted to receive requests via a mode of communication selected from the group consisting of telephones, faxes, and the internet(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 29, Friedes the system of claim 25 wherein said system is adapted to receive automated requests from machines(118 Fig.1 and col.2 *line 57-col.3 line 19*).

Regarding claim 30, Friedes the system of claim 25 wherein said device is adapted to receive responses from said requestor in the form of communication selected from the group consisting of sound, touch tones, speech, electronic data, e-mail, faxes, and internet messages(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 34, Friedes the system of claim 25 wherein said database is adapted to be updated with said relevant information each time paid requestor uses said system(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 37, Friedes the system of claim 25 wherein said receiver is adapted to generate an automated response using said unit of work record(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 39, Friedes the system of claim 25 further comprising a computer telephony integration server adapted to synchronize said unit of work record with said receiver(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 40, Friedes the system of claim 25 further comprising at least one additional receiver in communication with said receiver such that said receiver is adapted to transfer said unit of work record to said at least one additional receiver(118 Fig.1 and col.2 line 57-col.3 line 19).

Regarding claim 41, Friedes the system of claim 25 further comprising a second database such that said receiver is adapted to receive information from said second database(64 Fig.2, 58 and 76 of Fig.3; several databases).

Regarding claim 42, Friedes the system of claim 41 wherein said second database contains credit information(118 Fig.1, col.2 lines 28-32, and col.9 lines 36-40).

Regarding claim 43, Friedes the system of claim 42 wherein said credit information is selected from the group consisting of credit history and credit scoring(118 Fig.1, col.2 lines 28-32, and col.9 lines 36-40).

Regarding claim 45, Friedes the system of claim 41 wherein said information from said second database is included in said unit of work record118 Fig.1 and col.2 line 57-col.3 line 19).

**Regarding claim 46, Friedes** teaches a method for receiving requests, said method comprising:

querying a requestor for information, receiving from said requestor said information(col.2 line 57-col.3 line 19); obtaining from a database all information pertaining to said requestor and said requests(col.2 line 57-col.3 line 19);

saving all of information received from said requestor and all of said information obtained from said database as a unit of work record, and forwarding said unit of work record to a receiver while still in contact with said requestor(col.2 line 57-col.3 line 19).

Regarding claim 49, Friedes the method of claim 46 further comprising updating said unit of work record with said relevant information each time said requestor makes a request(col.2 line 57-col.3 line 19).

Regarding claim 50, Friedes the method of claim 49 wherein said unit of work record is updated to include said relevant information from a current contact with said requestor as well as information about a past contact with said requestor(col.2 line 57-col.3 line 19).

Regarding claim 51, Friedes the method of claim 46 further comprising providing a response to said requestor using said unit of work record(*col.2 line 57-col.3 line 19*).

Regarding claim 52, Friedes the method of claim 46 further comprising transferring information from a database to said receiver such that said receiver receives said unit of work record and said information from said database while still in contact with said receiver(*col.2 line 57-col.3 line 19*).

Regarding claim 53, Friedes the method of claim 52 wherein said information from said database includes credit information(*col.2 lines 28-32, and col.9 lines 36-40*).

Regarding claim 54, Friedes the method of claim 53 wherein said credit information is selected from the group consisting of credit history and credit scoring(*col.2 lines 28-32, and col.9 lines 36-40*).

Regarding claim 55, Friedes the method of claim 46 further comprising: providing a database containing information relative to said requestor and said requests, and saving said information of said database in said unit of work record (*col.2 line 57-col.3 line 19*).

Regarding claim 56, Friedes the method of claim 55 wherein said information of said database includes credit information(*col.2 lines 28-32, and col.9 lines 36-40*).

Regarding claim 57, Friedes the method of claim 56 wherein said credit information is selected from the group consisting of credit history and credit scoring(*col.2 lines 28-32, and col.9 lines 36-40*).

Regarding claim 58, Friedes the method of claim 46 further comprising forwarding said unit of work record to a second receiver while still in contact with said requestor(*col.2 line 57-col.3 line 19*).

Regarding claim 60, Friedes the system of claim 1, wherein said IVR is adapted to draw conclusions about said requestor and dynamically decide what questions to ask said requestor(*col.2 line 57-col.3 line 19*).

Regarding claim 61, Friedes the system of claim 1 further comprising a computer telephony integration (CTI) server in communication with said IVR, said database, and said receiver, said CTI server adapted to automatically notify an application program running at said receiver of the existence of said unit of work record(*col.2 line 57-col.3 line 19*).

Regarding claim 62, Friedes the system of claim 61 wherein said application program is operable to automatically access said contents of said unit of work record in response to said notification; append additional information to said contents; write said contents to said unit of work record in said database, thereby updating said unit of work record(*col.2 line 57-col.3 line 19*); and notify said CTI server that said unit of work record has been updated and is available to be accessed during a next transaction(*col.2 line 57-col.3 line 19*).

Regarding claim 63, Friedes the system of claim 25, wherein said device is adapted to draw conclusions about said requestor and dynamically decide what questions to ask said requestor(*col.2 line 57-col.3 line 19*).

Regarding claim 64, Friedes the system of claim 25 further comprising a computer telephony integration (CTI) server in communication with said device, said database, and said receiver, said CTI server adapted to automatically notify an application program running at said receiver of the existence of said unit of work record(*col.2 line 57-col.3 line 19*).

Regarding claim 65, Friedes the system of claim 64 wherein said application program is operable to automatically access said contents of said unit of work record in response to said notification; append additional information to said contents; write said contents to said unit of work record in said database, thereby updating said unit of work record; and notify said CTI server that said unit of work record has been updated and is available to be accessed during a next transaction(*col.2 line 57-col.3 line 19*).

***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 6-8, 10, 12-13, 15-21, 23-25, 28-30, 34, 37, 39-43, 45-46, 49-58, 60-65 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP

April 13, 2007

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